

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

FIFTEENTH CONGRESS
First Regular Session

House Bill No. 3838

Introduced by **Kabataan Party-List Rep. Raymond V. Palatino**

EXPLANATORY NOTE

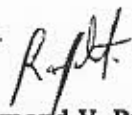
The Magna Carta for Persons with Disabilities states:

“Disabled persons have the same rights as other people to take their proper place in society. They should be able to live freely and as independently as possible. This must be the concern of everyone—the family, community and all government and nongovernment organizations.”

Television and motion pictures are undeniably today's top sources of information and entertainment. According to Nielsen Media Research, television remains the Filipinos' preferred medium of getting their daily dose of information, whether in terms of news content or advertising. Despite this, television and cinema remain inaccessible to Filipinos with hearing impairment, as most television programs and films do not have closed captions or subtitles that can help deaf persons to fully comprehend the content of news and entertainment programs and films.

This bill seeks to require the broadcast of television programs and showing of motion pictures and other audio-visual presentations with closed caption and providing penalties for violation thereof as a fitting response to the needs of hearing impaired individuals. Closed-caption is a method of captioning or subtitling of television, home video programs and films for hearing-impaired or foreign language viewers without interfering with the normal television picture and films, by coding captions as vertical interval data signal which is decoded at the receiver and superimposed on the television picture or on films of motion pictures.

In view of the foregoing, the passage of this bill is earnestly sought.


Hon. Raymond V. Palatino
Representative, Kabataan Party-List

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AN ACT

REQUIRING ALL FRANCHISE HOLDERS OR OPERATORS OF TELEVISION STATIONS, PRODUCERS OF TELEVISION PROGRAMS, HOME VIDEO PROGRAMS AND MOTION PICTURES TO BROADCAST OR PRESENT THEIR PROGRAMS AND FILMS WITH CLOSED-CAPTION AND PROVIDING PENALTIES FOR VIOLATION THEREOF

Be it enacted by the Senate and the House of Representatives of the Republic of the Philippines assembled:

SECTION 1. *Declaration of Policy.* – It is hereby declared the policy of the State to ensure that the needs and well-being of persons with physical infirmities will be given particular attention by providing them the equal opportunity to have access to information on matters of public concern and enjoy life as a person without physical impairment does.

SECTION 2. *Definition of closed-caption.* – As used in this Act, closed-caption shall mean a method of captioning or subtitling of television, home video programs and films for hearing-impaired or foreign language viewers without interfering with the normal television picture and films, by coding captions as vertical interval data signal which is decoded at the receiver and superimposed on the television picture or on films of motion pictures.

SECTION 3. *Closed-captioning of new programs and motion pictures.* – All franchise holders, owners or operators of television stations, producers of television programs, home video programs and motion pictures shall be required to have their programs and films with closed-captions in order to benefit persons with hearing impairment. Provided, however, that the words of the close-captioning will be in the language spoken in the same program.

1 **SECTION 4. Penalties.** – Any franchise holder or operator of television stations,
2 producer of television programs, home video programs and motion pictures, who
3 shall violate the provision of Section 3 shall be punished by a fine of not less than
4 fifty thousand pesos (P50,000.00) nor more than one hundred thousand
5 pesos (P100,000.00) or by imprisonment of not less than six (6) months nor
6 more than one (1) year or both such fine and imprisonment at the discretion of
7 the Court.

8
9 In case the offender is a corporation, partnership or association, or any other
10 juridical person, the president, manager, administrator, or the person-in-charge of
11 the management of the business shall be liable therefore. In addition, the license
12 or permit to operate its business shall be cancelled.

13
14 If the offender is an alien, in addition to the penalties herein prescribed, he shall,
15 after service of sentence, be deported without further proceedings on the part of the
16 Bureau of Immigration.

17
18 **SECTION 5. Implementing Rules and Regulations.** – The National
19 Telecommunication Commission and the Movie and Television Review and
20 Classification Board, in consultation with concerned agencies and entities, shall
21 promulgate the necessary rules and regulations for the effective implementation of
22 this Act.

23
24 **SECTION 6. Separability clause.** - If any provision of this Act is hereby declared
25 invalid or unconstitutional, the other sections or provisions thereof shall not be
26 affected thereby.

27
28 **SECTION 7. Repealing clause.** – All laws, decrees, orders, rules and regulations
29 and other issuances or parts thereof inconsistent herewith are hereby repealed.

30
31 **SECTION 8. Effectivity clause.** – This Act shall take effect after fifteen (15) days
32 following its publication in two (2) newspapers of general circulation or in the
33 Official Gazette.

34
35 Approved,